

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                               |                  |
|-------------------------------|------------------|
| CORE CONSTRUCTION &           | )                |
| REMEDICATION, INC.,           | ) Civil Action   |
| COPLAY AGGREGATES, INC.,      | ) No. 06-CV-1346 |
|                               | )                |
| Plaintiffs                    | )                |
|                               | )                |
| vs.                           | )                |
|                               | )                |
| VILLAGE OF SPRING VALLEY, NY, | )                |
| THE ALLIANCE COMPANIES        | )                |
| SA, LLC, and                  | )                |
| ROCKLAND COUNTY DRAINAGE      | )                |
| AGENCY,                       | )                |
|                               | )                |
| Defendants                    | )                |

O R D E R

NOW, this 27<sup>th</sup> day of September, 2007, upon  
consideration of the following motions:

1. Defendant Rockland County Drainage Agency's Motion  
to Dismiss the Amended Complaint, which motion and  
accompanying memorandum of law were filed  
November 13, 2006; together with:
  - a. Plaintiffs' Memorandum of Law in Opposition  
to Defendant Rockland County Drainage  
Agency's Motion to Dismiss the Amended  
Complaint, which memorandum was filed  
November 30, 2006;
2. Defendant Rockland County Drainage Agency's Motion  
to Dismiss Defendant Alliance Companies SA, LLC's  
Cross-Claims, which motion and accompanying

memorandum of law were filed January 5, 2007;  
together with:

a. Defendant Alliance Companies SA, LLC's  
Response to the Motion to Dismiss Crossclaims  
Filed on Behalf of Defendant Rockland County  
Drainage Agency, which response was filed  
January 19, 2007;

3. Defendant Rockland County Drainage Agency's Motion  
to Dismiss Defendant the Village of Spring Valley,  
New York's Cross-Claims, which motion together  
with accompanying memorandum of law were filed  
January 22, 2007; together with:

a. Defendant Village of Spring Valley, NY's  
Response to Defendant Rockland County  
Drainage Agency's Motion to Dismiss Defendant  
the Village of Spring Valley, New York's  
Cross-Claims, which response was filed  
February 5, 2007;

it appearing that Counts II and IV of plaintiffs' First Amended  
Complaint (docket entry 31) are the sole two claims asserted  
against Rockland County Drainage Agency; and for the reasons  
expressed in the accompanying Opinion,

IT ORDERED that Defendant Rockland County Drainage  
Agency's Motion to Dismiss the Amended Complaint is granted.

IT FURTHER ORDERED that Counts II and IV of plaintiffs' First Amended Complaint are dismissed against defendant Rockland County Drainage Agency.

IT FURTHER ORDERED that plaintiffs' First Amended Complaint against defendant Rockland County Drainage Agency is dismissed.

IT IS FURTHER ORDERED that plaintiffs shall until October 15, 2007 to file a second amended complaint.

IT FURTHER ORDERED that Defendant Rockland County Drainage Agency's Motion to Dismiss Defendant Alliance Companies SA, LLC's Cross-Claims is denied.

IT FURTHER ORDERED that Defendant Rockland County Drainage Agency's Motion to Dismiss Defendant the Village of Spring Valley, New York's Cross-Claims is denied.

BY THE COURT:

/s/ James Knoll Gardner  
James Knoll Gardner  
United States District Judge